

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRIDGESTONE SPORTS CO., LTD.,)	
and BRIDGESTONE GOLF, INC.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
ACUSHNET COMPANY,)	C. A. No. 05-132 (JJF)
)	
Defendant.)	
)	
ACUSHNET COMPANY,)	PUBLIC VERSION
)	
Counterclaim Plaintiff,)	
)	
v.)	
)	
BRIDGESTONE SPORTS CO., LTD.)	
and BRIDGESTONE GOLD, INC.)	
)	
Counterclaim Defendant.)	

**ACUSHNET'S OPPOSITION TO BRIDGESTONE'S MOTION TO
STRIKE ACUSHNET'S REPLY BRIEF REGARDING ITS MOTION
FOR REPRESENTATIVE CLAIMS AND TO REQUIRE
DETAILED INFRINGEMENT CONTENTIONS**

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Dated: January 11, 2006
Public Version Dated: January 30, 2006

Acushnet has acted in accordance with the Mutual Nondisclosure Agreement ("NDA"). [REDACTED]

[REDACTED]

(Bridgestone Ex. 1 at ¶ 3 (emphasis added).) [REDACTED]

While Bridgestone initially produced the document at-issue during settlement discussions, Bridgestone later, outside the context of settlement discussions, produced the document, without any claim of privilege and work product, in response to Acushnet's document requests. (*See* BSP089131-BSP089152 (Ex. B hereto).) As a result, Acushnet is free to use this document, including use in its Reply Brief in support of its motion for representative claims, because it was "obtained independent[] of Settlement Discussions." (Bridgestone Ex. 1 at ¶ 3.)

Bridgestone's arguments are irrelevant as they focus on the reason that the document was "prepared." (Bridgestone's Mot. To Str. At 3.) [REDACTED]

Thus,

Bridgestone's Motion should be denied.

¹ A paragraph that Bridgestone ignores in its motion despite the fact Acushnet explained its position to Bridgestone in a January 3, 2006 letter. (Ltr. From Alan M. Grimaldi to Robert M. Masters on Jan. 3, 2006 (Ex. A hereto).)

In any event, Bridgestone's motion complains only about one paragraph in Acushnet's Reply Brief. Acushnet's motion for representative claims and proper infringement contentions provides ample additional bases to support granting that motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on January 30, 2006, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF.

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I hereby certify that on January 30, 2006, I have Federal Expressed the documents to the following non-registered participants:

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